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**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D. C. 20548

**FILE:** B-209997

**DATE:** December 15, 1982

**MATTER OF:** Morton A. Kavalier, M.D.

**DIGEST:**

Protest from incumbent contractor that he was unaware procurement for medical services would be competitive is dismissed since timely Commerce Business Daily (CBD) announcement clearly indicated quotations were solicited from all interested parties and such CBD announcements constitute constructive knowledge of their contents.

Morton A. Kavalier, M.D. protests the award of a contract by the Interstate Commerce Commission (ICC) under request for quotations (RFQ) No. ICC-82-Q-0005. The RFQ solicited quotations from physicians for the operation of a health program for ICC employees including the treatment of on-the-job injuries. Doctor Kavalier, who had been the incumbent contractor for the past 6 years, contends he was never informed that the procurement would be competitive.

The procurement was announced on October 19, 1982, in the Commerce Business Daily under the heading of "Medical Services." The notice stated that "All RFQ's are due 27 Oct 82." This clearly indicated the possibility of more than one competitor. We have held that protesters are charged with constructive knowledge of the contents of CBD announcements. The Bureau of National Affairs, Inc., B-189962, September 20, 1977, 77-2 CPD 206.

Thus, the fact that Doctor Kavalier may not actually have known the procurement would be competitive presents no valid basis for protest since he had constructive notice of its competitive nature. Moreover, we find no basis for protest in Doctor Kavalier's statement that he is naive about Government forms and procedures. In our view, the self interest of those who seek Government

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contracts requires that they inform themselves of the basic rules and principles governing such procurements and those that do not must suffer the consequences of their failure to do so.

The protest is dismissed.

*Harry R. Van Cleve*  
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Acting General Counsel